

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

KEVIN BIVENS  
PLAINTIFF,

§  
§ CIVIL ACTION NO.: 3:18-CV-00347

V.

AMERICAN STRATEGIC INSURANCE  
CORPORATION  
DEFENDANT.

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**NOTICE OF SETTLEMENT**

Defendant, American Strategic Insurance Corporation, a Write-Your-Own (“WYO”) carrier participating in the U.S. Government’s National Flood Insurance Program (“NFIP”), pursuant to the National Flood Insurance Act of 1968, as amended (42 U.S.C. § 4001, *et seq.*), appearing herein its “fiduciary”<sup>1</sup> capacity as the “fiscal agent of the United States,”<sup>2</sup> by and through its undersigned counsel and on behalf of the parties, hereby notifies the Court that the above-styled matter has been amicably resolved. Counsel are finalizing the appropriate settlement documents and will thereafter file an appropriate Stipulation for Dismissal and Order with the Court.

Dated: October 21, 2019

Respectfully submitted,

**NIELSEN & TREAS, LLC**

/s/ William R. DeJean  
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<sup>1</sup> 44 C.F.R. § 62.23(f).

<sup>2</sup> 42 U.S.C. § 4071(a)(1).

And

**BAKER & HOSTETLER, LLP**

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**COUNSEL FOR DEFENDANT, AMERICAN  
STRATEGIC INSURANCE CORPORATION**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing was served upon all counsel of record via CM/ECF System this 21<sup>st</sup> day of October, 2019.

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*/s/ William R. DeJean*  
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